IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.648 OF 2005

Smt.Chandrabhaga S. Pavde : Petitioner

V/s.

The State of Maharashtra : Respondent

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Mr.Nitin V. Gangal for the petitioner.
None present for the respondent.

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CORAM : DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.

DATE : FEBRUARY 18, 2005.

P.C.:

1. Rule. Rule is made returnable forthwith and taken up for hearing.

2. The petitioner is seeking a very limited relief whereby the petitioner's application, which is pending before the Collector, Nasik, under section 28A of the Land Acquisition Act, 1894 (“the Act”, for short), may be decided expeditiously. It appears that pertaining to the same notification, which covers the lands involved in this petition, on 2.5.1998, the Reference Court has granted enhanced compensation. Based on the same, application was filed under section 28A of the Act in July 1998 which is within the

prescribed period of ninety days.

3. In the aforesaid facts and circumstances, we direct the Collector, Nasik, to decide the said application for enhancement of compensation under section 28A of the Act, as expeditiously as possible, preferably within three months from the date of receipt of this order. While doing so, the Collector, Nasik, shall take into account the decision of the Supreme Court in Union of India & Ors. v. Mangatu Ram, reported in AIR 1997 SC 2704.

4. No further directions are necessary. Rule is made absolute in the above terms. This Writ Petition is, accordingly, disposed of.

Sd/-

CHIEF JUSTICE

Sd/-

S.A. BOBDE, J.